



File Code: 1570 (218)  
#15-01-00-0009/0010

Date: January 8, 2015

*Combined response to #15-01-00-0009 and #15-01-00-0010*

Dear Objector:

This letter is in response to your objection of the East Deerlodge Valley Landscape project located on the Beaverhead-Deerlodge National Forest. I received objections on the project from Michael Garrity (on behalf of Alliance for the Wild Rockies, Native Ecosystems Council and Montana Ecosystem Defense Council) and Sara Jane Johnson (on behalf of Native Ecosystems Council and Alliance for the Wild Rockies).

I have read the objections and reviewed the October 2014 Final Environmental Impact Statement (FEIS), the draft Record of Decision (DROD), and the project file, as well as considered the comments submitted during the opportunities for public comment for this project. Based on this review, conducted in accordance with 36 CFR 218, I understand the disclosed environmental effects of this project.

#### **OBJECTION REVIEW AND RESOLUTION MEETING**

The 36 CFR 218 regulations provide for a pre-decisional administrative review process in which the objector provides sufficient narrative description of the project, specific issues related to the project, and suggests remedies that would resolve the objection (36 CFR 218.8). In my acceptance of the objection submitted by Michael Garrity, I clarified I would only review those issues determined to be specific to the project (as outlined in the objection acceptance letter, dated December 4, 2014). The issues submitted by Sara Jane Johnson were reviewed in full unless issues were found not to be based on previously submitted comments or new information.

As specified at 36 CFR 218.11(b), I must provide a written response that sets forth reasons for the response; however, this written response need not be point-by-point. The regulations also permit the Objection Reviewing Officer to consolidate objections and issue one or more responses. I have consolidated the issues from all of the objections and I am issuing one response.

The Responsible Official and I have reviewed the project in light of the issues presented in the objections. I have considered the issues and suggested remedies and included my reasons for response to these issues, which are detailed below.

The regulations also allow, in part, for the parties to meet in order to resolve the issues (36 CFR 218.11(a)). A face-to-face resolution meeting was scheduled, with me driving to Deer Lodge, on January 6, 2014, but you declined to travel to Deer Lodge. The Forest then set up the meeting as



a conference call. Members of the collaborative and members of the public took time out of their schedules to be on the call, but all objectors failed to call in.

The Forest Supervisor, the collaborative that has worked so hard and long on this project, and I are disappointed that in the end you chose not to take time to discuss potential points of resolution with us. After waiting more than one-half hour on the telephone for you to call in and after talking to the members of the collaborative, I concluded the meeting. Obviously, without your participation, there was no resolution of any of your objection points.

### **OVERVIEW OF PROJECT**

The purpose of the East Deer Lodge Valley Landscape Project is to contribute towards attainment of forest-wide goals and objectives for timber management, vegetation, aquatic resources and wildlife habitat. The project will primarily salvage lodgepole pine killed by mountain pine beetle and also includes thinning small-diameter Douglas fir on a minor amount of acreage. Restoration activities include cutting encroaching conifers in parks, meadows, and aspen stands, as well as protecting riparian habitat; removing, replacing or retrofitting 12 culverts that prevent fish passage; and closing approximately 22 miles of system and non-system roads and trails.

### **RESPONSE TO ISSUES & SUGGESTED REMEDIES**

#### ***ISSUES NOT REQUIRING FURTHER DISCUSSION OR INSTRUCTIONS***

The objections raised the following issues/allegations:

#### **Issue 1: GRIZZLY BEAR**

**You allege the Forest failed to consult with USFWS on this project or the Forest Plan in relation to potential effects on grizzly bear.**

**You allege the Forest is not ensuring a viable population of grizzly bear in the project area, in violation of NFMA.**

**You allege there must be a conservation strategy for grizzly bear on the Deerlodge portion of the Forest.**

**You allege a failure to maintain habitat connectivity, linkage zones, or the ability of grizzly bear to move through the project.**

**You allege a failure to correctly evaluate habitat security for grizzly bear because the project uses a different method than that specified in the 2003 proposed management for the Northern Continental Divide Ecosystem.**

**You allege a failure to use best science in evaluating effects on grizzly bear, that there was no evaluation of habitat security or road densities during or after**

implementation, and the use of incorrect road density standards and road densities that are above required standards (2 mi/mi<sup>2</sup> vs 1 mi/mi<sup>2</sup>).

You allege that temporary road obliteration would not actually occur. You further allege that temp road locations, time periods used, proposed obliteration dates, and costs for obliteration were not displayed.

You allege the Forest failed to explain why future management is not needed on temp roads.

You allege the effects analysis for grizzly bear was conducted at the wrong scale resulting in inappropriate/ineffective mitigation measures and failure to evaluate cumulative effects from the Helena NF.

You allege a failure to provide the USFWS report to the public in the FEIS or Draft ROD.

You allege a failure to analyze loss of hiding cover from timber harvest or the effects of large openings on connectivity.

You allege a failure to include an alternative that would restore grizzly habitat (lack of full range of alternatives).

You state it is unclear to you why disturbance in the 10-year time frame does not create adverse impacts to the grizzly bear.

**Issue 2:** You allege the project allows sediment to be delivered into streams in violation of NEPA, NFMA, APA, the Clean Water Act and implementing regulations, ESA, and Montana water quality laws by failing to decrease sediment by closing roads.

**Issue 3:** You allege the Forest will violate NEPA, NFMA, APA, and ESA by implementing the Forest Plan, by misrepresenting snag habitat, and by developing implausible snag management strategies. You suggest correcting severe flaws in the Forest Plan for snags.

**Issue 4:** You allege the Forest will violate NEPA, NFMA, APA, and ESA by implementing the Forest Plan and the project by failing to identify a management indicator species (MIS) for snags or snag habitat and failing to identify a valid habitat proxy. Furthermore, you allege the project failed to use best available science for management of snag habitat in the Forest Plan and there is no cumulative effects analysis in the Forest Plan in regards to past logging on snag habitat across the forest.

**Issue 5:** You allege NEPA, NFMA, APA, and ESA will be violated in regards to old growth management directed by the Forest Plan and its implementation in the project by failing to identify a management indicator species (MIS) for old growth habitat, failing to inventory old growth, and failing to identify a valid wildlife proxy to ensure the viability of wildlife.

**Issue 6:** You allege NEPA, NFMA, APA, and ESA will be violated in regards to old growth management directed by the Forest Plan and its implementation in the project by misrepresenting impacts on old growth, failing to inventory old growth in the project area, and failing to analyze affects to old growth including impacts from past logging.

**Issue 7:** You allege NEPA, NFMA, APA, and ESA will be violated due to implementation of the Forest Plan in the project area in regards to the management of conifer seeds (forage) for many forest birds, as well as small mammals by failing to identify an indicator species for wildlife species dependent upon conifer seeds, and by failing to ensure the viability of wildlife species that depend upon conifer seed production. You ask for a cumulative effects analysis for losses of conifer seed resources.

**Issue 8:** You allege the Forest Plan and its implementation in the project area will result in violations of NEPA, NFMA, APA, and ESA by failing to use current best science in ensuring wildlife viability and failing to identify and monitor indicator species.

**Issue 9:** You allege the Forest will violate NEPA, NFMA, and APA with implementation of the project by failing to meet Forest Plan requirements regarding nesting areas and failing to include criteria for surveys in the Forest Plan.

**Issue 10:** You allege the proposed restoration activities, including commercial harvest, will result in violations of NEPA, NFMA and APA by failing to address effects to wildlife from conifer encroachment/removal in ecotones and failing to identify indicator species for these areas.

**Issue 11:** You allege that the proposed restoration activities will violate NEPA, NFMA, and APA by failing to address effects to wildlife in ecotones. You state there must be a map indicating the location of roadside logging.

**Issue 12:** You allege the Forest Plan and its implementation in the project area will trigger violations of NEPA, NFMA and APA by failing to disclose effects to elk habitat. You suggest correcting what you perceive to be flaws in the Forest Plan.

**Issue 13:** You allege the Forest Plan and its implementation in the project area will trigger violations of NEPA, NFMA, and APA by failing to use current best science in defining elk security.

**Issue 14:** You allege the Forest and USFWS incorrectly claim that the project will not adversely impact lynx, failed to identify that the loss of habitat connectivity in the project area will be a severe adverse impact on lynx travel through the area, the FEIS misrepresents the impacts of logging by failing to identify that logging will create an irretrievable loss of developing lynx winter habitat for over 100 years, and the FEIS did not evaluate the cumulative effects of past logging in this project area.

**RESPONSE TO ISSUES 1 THROUGH 14:** Based on my review of the FEIS, the DROD, and the content in the project file, I find these issues/contentions do not require further discussion or instructions to the Responsible Official for one or more of the following reasons:

- 1) The proposed actions are in compliance with applicable regional guidelines, the Forest Plan (to include amendments to the plan) and/or law, regulation and policy, as supported by adequate analysis and rationale made available in the FEIS and DROD and furthermore supported by information in the project file;
- 2) The purported effects to resources and/or species have already been addressed through application of appropriate design features/mitigation measures;
- 3) The issue is directed at programmatic and/or planning-level concerns and not specific to the project;
- 4) The Forest already provided an adequate and thorough response to the issue in the Response to Comments section in the FEIS;
- 5) The alleged action or information required to avoid a violation of law/regulation/ policy is not actually required by any law, regulation, or policy;
- 6) The objector failed to raise the issue in comments previously submitted during a public comment period and the issue is not based on new information (36 CFR 218.8(c)).
- 7) The appropriate models, methodology, and/or science was applied and the analysis is adequate;
- 8) Consultation was conducted with the necessary agencies and the necessary concurrence/response received;
- 9) Public involvement was adequate and documents made available as required by NEPA;
- 10) The objector(s) misread or misinterpreted the information in the FEIS/DROD; and/or
- 11) The requested information/data was already provided in the Draft EIS, FEIS, DROD and/or project webpage.

### ***ISSUES REQUIRING FURTHER DISCUSSION OR INSTRUCTIONS***

While the above issues do not require additional discussion or instructions, based on my review of the FEIS, the DROD, and the content in the project file, I find the following issues do require further discussion and some instruction to the Responsible Official:

**Issue 15. You allege the FEIS violates NEPA, NFMA, and ESA requirements for grizzly bear by failing to include grizzly bear as one of the threatened species in the project and failing to analyze project impacts to grizzly bear. You further allege the Forest failed to include grizzly bear as a threatened species and failed to analyze grizzly bear, disclose project-level direct, indirect, cumulative effects, and support the conclusions.**

**Response:** The FEIS (pp. 399 to 413) analyzes and discloses direct, indirect, and cumulative effects to grizzly bear. This analysis is based on the B-D Forest Plan and the associated

incidental take statement which dictates the required management standards for the project. The August 26, 2014 USFWS letter reiterates that the critical issues for managing grizzly bear are identified in the May 28, 2013 Biological Opinion on the BDNF Forest Plan. These include access management, food and attractant storage, and livestock grazing, all of which are analyzed in the FEIS.

The Forest submitted a project-level Biological Assessment for terrestrial wildlife species to the USFWS on July 2, 2014, and received a Biological Opinion from USFWS on August 26, 2014. The proposed action in combination with the environmental baseline “*may affect and is likely to adversely affect*” grizzly bear. Even though the project as designed will decrease open motorized roads and trails in the action area, will minimize disturbance to grizzly bear by following travel restrictions, and implementing food storage requirements, the current condition of the action area may displace grizzly bear from this area that they may have used otherwise due to the current high road density and high level of human use throughout the action area (BA, p. 21). The project will not jeopardize the continued existence of any listed or proposed species (Draft ROD, p. 36).

***Instructions:** The management standards for grizzly bear, by which the Forest is bound, should be displayed more clearly in the FEIS analysis. This clarification of the regulatory framework for grizzly bear would help the reader understand what is required for management of grizzly bears and why these requirements are sufficient. Make it clear at the outset that the NCDE standards do not apply on the BDNF.*

**Issue 16:** You allege the project is in violation of NEPA, NFMA, the Clean Water Act, Montana water quality laws and regulations, and ESA by failing to consult with USFWS on bull trout and bull trout critical habitat, no surveys were conducted for bull trout, and the consultation was not available to the public. You disagree with the Forest’s statement that “this project does not propose actions which will promote or prolong the temperature impairment in Peterson Creek as discussed in further detail in the aquatics section of the FEIS.” Furthermore, you allege there are two conflicting answers in the Response to Comments (p. C-37, response to comment 46; p. C-38, response to comment 48), regarding bull trout.

**Response:** In the DROD and FEIS for this project, the Forest stated consultation on bull trout and bull trout critical habitat would be conducted. The findings in the FEIS indicate that bull trout have the potential, albeit unlikely, to be present within the aquatics analysis area. Due to this potential the Forest is in the process of initiating informal consultation with the USFWS on potential project effects to bull trout, consistent with the ESA Section 7 consultation requirements (Draft ROD, p. 37).

I have reviewed the two answers you claim are in conflict (p. C-37, response to comment 46; and p. C-38, response to comment 48). It is not clear to me how they are conflicting because they deal with different issues.

The FEIS (p. 61) states that Peterson Creek is listed as a State of Montana impaired waterbody for sediment and temperature. In Response to Comments, the Forest states this project does not propose actions which will promote or prolong the temperature impairment in Peterson Creek (FEIS, response to comment 41, p. C-35).

***Instructions:***

*The Forest is to complete the Biological Assessment and consultation on bull trout and bull trout critical habitat. Include this information in the ROD.*

*Clarify and expand effects to bull trout in each alternative in the analysis in the FEIS.*

*The FEIS (p. 52) states bull trout are absent from the project area and there are no relevant issues that need to be analyzed for these species. Correct this erroneous statement to match other statements in the FEIS that explains bull trout may be present in the analysis area.*

*Include or reference information that supports whether or not bull trout were surveyed for in the analysis area. Include a brief natural history of bull trout, their regulatory framework, and additional discussion of cumulative effects.*

*Clarify why temperature will not be affected in Peterson Creek from the proposed alternatives and explain the connection between this and bull trout.*

**Issue 17: You allege the water diversions on South Fork Cottonwood Creek and Jack Creek are illegal and should be stopped.**

**Response:** The FEIS mentions these diversions several times (pp. 60, 62, 117, 184, 189, etc.) but does not address whether or not they are an issue to the project. Tables 31, 32, and 33 (FEIS, pp. 119 to 121) show that the diversions' effects to various aquatic species are "substantial," but there is no further discussion or analysis.

The aquatic species report states the diversion on Jack Creek is located at stream mile 2.8 and the diversion on South Fork of Cottonwood Creek is located on stream mile 1.4. The Response to Comments (FEIS, p. C-35) states, "Based on best available information we believe this diversion is not located on National Forest System Lands." But elsewhere the FEIS (p. 184) states the exact location of the Jack Creek diversion is unknown.

I find the FEIS is unclear about whether the diversions and their effects are applicable to the project and whether or not more analysis is needed. The status of the diversions' legality and locations is also unclear.

***Instructions:*** *I am instructing the Forest to further explain the legality of the diversions on South Fork of Cottonwood Creek and Jack Creek and to ensure consistency between the Aquatics and Hydrology sections in regards to the descriptions (and locations) of the diversions. Additionally, the importance or non-importance of the diversions needs to be determined and*

*explicitly stated in the FEIS. Explain why the diversions are unimportant or completely analyze the diversions for effects on natural resources.*

**Issue 18: You allege the project fails to meet the Upper Clark Fork River TMDL water temperature requirements on Peterson Creek.**

**Response:** The Upper Clark Fork River Tributaries Sediment, Metals, and Temperature TMDLs and Framework for Water Quality Restoration, C01-TMDL-02a-F (Version 1.0, p. 2) states, "Water quality restoration goals to meet the temperature standard for Peterson Creek include improving riparian shade, maintaining current stream dimensions, improving irrigation infrastructure, and reducing human caused surface water inflow."

The Forest Plan for Aquatics states, "Standard 1: Riparian Conservation Area (RCA) -1 Any activity in RCAs shall be designed to enhance, restore, *or maintain* the physical and biological characteristics of the RCA..." (emphasis added).

The FEIS states that harvest units and timber operations would avoid RCAs and seasonally wet areas (FEIS, p. 25). Also, there is no RCA clearcutting proposed that would remove stream shade and directly affect temperature as alleged. Avoiding timber operations in RCAs will not worsen water temperatures in Peterson Creek.

The Upper Clark Fork TMDL (Appendix G, p. 23) states, "Overall, the results of this study indicated that Peterson Creek downstream of the confluence with Jack Creek should be the focus of restoration efforts directed towards decreasing water temperatures in Peterson Creek." The area of Peterson Creek described as temperature impaired in the Upper Clark Fork TMDL is not part of National Forest System lands and not part of the project area (see also Upper Clark Fork TMDL Table 1-1, p. 13; p. 93).

The FEIS (p. 180) states, "Sediment is the only portion of the TMDL that this project may impact; therefore this is the only portion of the Upper Clark Fork TMDL considered for this project." I find the project is in compliance with the Forest Plan standards for aquatics and the Upper Clark Fork TMDL for temperatures on Peterson Creek.

**Instructions:** *The Forest needs to clearly explain how and why the project will have "no effect" on stream temperatures. For example, add a brief (one sentence) "because" statement in the FEIS (p. 180): "Sediment is the only portion of the TMDL that this project may impact, because..." and a brief discussion showing how the activities will not cumulatively affect downstream temperatures of Peterson Creek.*

**Issue 19: You allege the Forest will violate NEPA, NFMA, APA, and ESA by failing to identify a management indicator species (MIS) for forest fragmentation; misrepresenting the 40-acre clearcut limit; and not analyzing effects of clearcutting, partial harvest, and fragmentation to wildlife, including impacts from past logging, in the FEIS or in the Forest Plan. You allege the FEIS and the Forest Plan failed to use best science to define lodgepole**



**pine forests with pine beetle infestations and their value to wildlife and misrepresented NFMA by claiming lodgepole pine stands infested with pine beetle have to be clearcut to meet NFMA requirements.**

**Response:** The 2009 Forest Plan decision was affirmed by the Chief after review of the appeals and, among other things, after consideration of the Forest Plan MIS selection.

The project does not propose clearcutting (regeneration harvest) and this was clarified in the FEIS. It does propose salvage of extensive areas of dead trees and leaving the existing understory. The DROD (p. 33) clearly states the maximum size of openings created by one regeneration harvest operation would not exceed 40 acres, except where a natural event (such as the current mountain pine beetle epidemic) has created an undesirable opening.

Forest Service Manual 2471.11 requires approval by the Regional Forester of all openings greater than 40 acres created by even-aged silvicultural treatments (i.e. regeneration harvest activity). Approval is not required for natural events that create openings or salvage treatments that deal with results of natural events. The dead and dying trees to be cut are a result of natural events. Even though it is not required because the standard does not apply to salvage and the treatment is not a regeneration activity, the Regional Forester has granted approval of the 14 units in the DROD. The existing understory will respond quickly to increased availability of light created by the salvage treatments (FEIS, p. 358). NFMA compliance is identified clearly in the DROD (pp. 33 to 34). The FEIS also sufficiently details the 40-acre opening requirements, units that exceed 40 acres, and effects of the activity (FEIS, pp. 15 to 17, 30 to 32, 344, 366 to 369).

You allege the current best science was not used to define lodgepole pine forests with pine beetle infestations as having very high wildlife values instead of openings that would have no value to wildlife. However, you failed to identify the science in question, or the location of a statement in the FEIS or the Draft ROD regarding openings having no value to wildlife. You also contend that the Forest misrepresented the NFMA by claiming lodgepole pine stands infected with pine beetle have to be clearcut to meet the NFMA requirements. The Forest makes no such claim and this project does not propose clearcutting.

Impacts to wildlife connectivity (fragmentation effects) were analyzed in the FEIS (p. 485).

Based on the information above, the Forest is in compliance with NFMA, NEPA, and APA by clearly displaying the very analysis you suggest must occur. It is unclear how you think the BDNF violated the ESA in this issue statement.

**Instructions:** *I am directing the BDNF to remedy typographical errors in the FEIS on p. S-11, pp. 343 to 344, and p. 372 that refer to salvage with clearcut, two-aged patch clearcuts or clearcut in the proposed alternatives, as well as to clarify in the FEIS how salvage harvest relates to 40-acre opening limitations and to elaborate on impacts from past activities (logging) relating to wildlife connectivity.*

**Issue 20: You allege the current condition of elk habitat effectiveness is not disclosed, nor does the EIS disclose what the condition would be during harvest. You also allege the open road density (ORD) during the project activities is too high (2.55 mi./sq.mi).**

**Response:** The Forest Plan standards related to road densities are specifically to maintain “net” open route densities. This mean the Standard applies to the road density after the project is completed rather than during the period of project implementation.

The Response to Comments (FEIS, pp. C31-33 and C57-58) also discusses in detail the science that was applied and why. These comment responses specifically address why the focus is on the road portion of habitat effectiveness rather than other aspects such as cover.

*Instructions: FEIS Table 124 (p. 473) is missing the road densities during the project. This data had been included in the DEIS (p. 416, Table 103). The Forest will correct this editing error to include “during-project” road densities in the FEIS.*

**Issue 21: You allege hiding and thermal cover is more important than the BDNF contends in the FEIS and these attributes need to be analyzed in greater detail. You recommend applying Christensen et al. (1993), and for the first time, Black et al. (1976).**

**Response:** The APA requires a hard look and to review applicable science. NEPA directs the agency to disclose and consider effects in proportion to their significance.

The FEIS (pp. 474 to 480) discusses effects on cover (hiding and thermal) and why these impacts were of lesser importance than the security/road density issues. The Response to Comments (FEIS, pp. C31 to C33 and C57 to C58) also discuss in detail why the analysis focuses on road densities more than hiding or thermal cover (even though these issues are addressed to some degree). Recent literature (Cook et al. 2005) concludes that thermal cover is normally not an issue.

The Response to Comments and science used by the Forest is adequate in concluding that thermal and hiding cover are less critical than security. The analysis in the FEIS addresses the most important points for potential effects on elk and clearly explains why these are important.

Regarding Christensen, the FEIS (pp. 471 to 472) clearly explains why winter range issues in the project were not focused on thermal or hiding cover. Experimental, peer-reviewed research by Cook et al. (2005) shows very little to no importance of thermal cover, while Christensen et al. (1993) are more general and say it may be a concern. The Forest relied on the more rigorous and recent specific assessment of the thermal cover issue by Cook. However, because the DROD (pp. 5 to 8) specifies that only Douglas-fir trees up to a certain size would be cut, the Forest will also meet recommendations by Christensen et al. to leave the largest trees for thermal cover in winter.

*Instructions: The Forest will update the Wildlife Section of the FEIS to display how leaving the larger Douglas-fir trees would meet Christensen's recommendations for maintaining thermal cover.*

**Issue 22: You allege a failure to include grizzly bear as a Threatened species and failure to analyze grizzly bear, disclose project-level direct, indirect, cumulative effects, and support the conclusions. You allege the project does not use the best science for bears in the Northern Continental Divide Ecosystem (NCDE).**

**Response:** ESA Section 7 requires consultation with USFWS on potential effects on listed species. NEPA requires analysis and disclosure of direct, indirect, and cumulative effects. APA requires reasoned, considered and deliberate decision-making (using the correct methods and standards, etc.). All of these the Forest has met.

The FEIS (beginning on p. 399) analyzes and discloses direct, indirect and cumulative effects on grizzly bear. This analysis is based on the Forest Plan and the associated incidental take statement, which dictates the required management standards for the project area. Much discussion in the FEIS is related to the NCDE and you are concerned that NCDE standards and methods are not followed. NCDE standards or management methods do not apply in this project because of its location. The August 26, 2014 USFWS letter reiterates that the critical issues for managing grizzly bear on the Beaverhead-Deerlodge National Forest are identified in the May 28, 2013 Biological Opinion on the Forest Plan. These are access management, food and attractant storage, and livestock grazing—all of which are analyzed in the FEIS.

A project-level Biological Assessment for terrestrial wildlife species was submitted to the USFWS on July 2, 2014 and a Biological Opinion on grizzly bear was received from the USFWS on August 26, 2014. The project will not jeopardize the continued existence of any listed or proposed species (DROD, p. 36).

*Instruction: I find that clarification of the regulatory framework for grizzly bear would help the reader understand what is required for management of grizzly bear in this geographic area and why these requirements are sufficient. The Forest needs to edit the FEIS to make it clear at the outset that the NCDE standards do not apply on the Beaverhead-Deerlodge National Forest, and the NCDE is only considered in context of overall population, habitat status, and distribution of grizzly bear.*

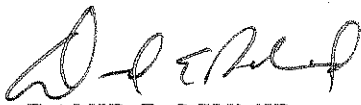
## **SUMMARY**

In conclusion, I have reviewed the assertions that the project violates various environmental laws, regulations, policies, and the Forest Plan. My review finds the project is in compliance with these laws, regulations, policies, and the Forest Plan except for those instances where I have provided instructions for the Forest to provide additional or clarifying information to better demonstrate compliance with law, regulation, or policy.

The Forest should summarize this objection response in the Public Involvement section of the final ROD and include this letter as an appendix to the final ROD.

Once all instructions are completed the project and analysis will be in full compliance with all laws, regulations, policies, and the Forest Plan, and the Forest Supervisor may sign the Record of Decision for the project. My review constitutes the final administrative determination of the Department of Agriculture; no further review from any other Forest Service or USDA official of my written response to your objection is available [36 CFR 218.11(b)(2)].

Sincerely,

A handwritten signature in black ink, appearing to read 'D. Schmid', is written over the printed name.

DAVID E. SCHMID  
Deputy Regional Forester

cc: Alex Dunn, Jan M Bowey, Peri R Suenram, Ray G Smith, Melany I Glossa, Charlene F  
Bucha